

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 27, 2005

SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER 233 SOUTH WACKER DRIVE CHICAGO, IL 60606-6473 US

Dear Sir/Madam,

Your refund request for 10522318 in the amount of \$400.00 has been denied .

Monies were refunded back to credit card on 5/17/05.

PCT - National 703 308-9140 x231

PATEND AND SHAPE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE REQUEST FOR REFUND UNDER 37 CFR 1.26(a)

205 748 12 74 2-57

ATTN: MAIL STOP 16 & THI DEWARK

APPLICANT:

Manfred Fuchs

CONFIRMATION NO.: 5973

SERIAL NO.:

10/522,318

GROUP ART UNIT: 1752

FILED:

January 25, 2005

TITLE:

"NEEDLE-SHAPED X-RAY FLUORESCENT MATERIAL, AND

METHOD FOR VAPOR-DEPOSITION THEREOF ON A

SUBSTRATE"

Mail Stop 16
Refunds Section of Receipts
Division of Office of Finance
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

The Deposit Account (#501519) for the undersigned counsel's law firm was charged \$400.00 on May 17, 2005. The indicated fee code 1642 indicates a National Stage Search Fee under 1.492(b)(2). A copy of the posting sheet showing the charge is attached hereto.

The undersigned counsel submitted a National Stage Application for the above captioned case on January 25, 2005. At that time Applicant's counsel submitted what was believed to be all required fees, including the \$400.00 search fee, as check number 329641 (copy of cancelled check enclosed). After reviewing 37 CFR 1.492(b)(2) Applicant's counsel submits that the fee could only be a maximum of \$100.00. Because it is believed that the correct fee was submitted at the time of filing, the undersigned counsel it is believed that no additional search fee is due.

It is therefore believed that the \$400.00 charge was made in error, and a refund of this amount is respectfully requested. This refund is requested to be effected by crediting the aforementioned Deposit Account No. 501519 in the amount of \$400.00. A duplicate copy of this sheet is attached.

If there is some other reason for the charge of \$400.00, we would appreciate being advised of the specifics.

Submitted by,

Mark Bergner

(Reg. 45,877)

SCHIFF HARDIN LLP - Patent Department 6600 Sears Tower - 233 South Wacker Drive

ears Tower - 233 South Wacker Driv Chicago, Illinois 60606

CUSTOMER NO. 26574
Telephone: 312/258-5781
Attorneys for Applicants.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop 16, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on <u>August 9, 2005</u>.

Mark Bergner
Mark Bergner

CH2\ 1262894.1





Deposit Account Statement

Requested Statement Month: Deposit Account Number:

May 2005 501519

Name:

SCHIFF HARDIN LLP

Attention:

AUBREY M. TOKARZ

Address:

SUITE 6600 SEARS TOWER

City:

CHICAGO

IL

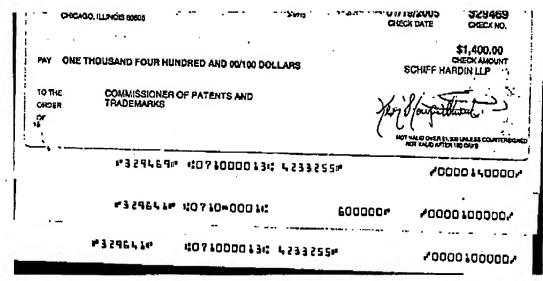
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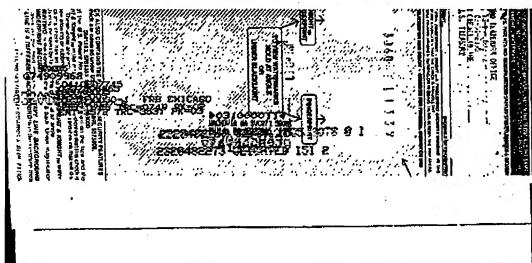
60606-6473

Country:

UNITED STATES OF AMERICA

DATE SEQ POSTING REF TXT ATTORNEY DOCKET NBR FEE CODE AMT BAL 05/03 13 10513769 D04,0194 D5/03 121 11114472 P05,0094 B021 \$40.00 \$14,404.2 8021 \$40.00 \$14,364.2 05/04 4 10514229 P04,0432 D5/06 2 10515757 P04,0463 1617 \$130.00 \$14,216.2
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\$14,564.25 \$3,233.00 \$1,600.00 \$12,931.25





Posting Date 2005 Feb 07 Prime Sequence 720435843 Amount \$1,000.00 Bank 07100001 Account: 4233255 Serial Field 000000329641 Bank No. 111 item type P IRD